

A1 -- The media may be obtained, for example, through trading transactions as described herein above and illustrated in Fig. 1. The media include, for example, stations Natch-1 and Natch-2 categorized in the National TV category, and stations Loch-1 and Loch-2 categorized in the Local TV category. Of course, an inventory data base may include more or less media categories and media than what is illustrated in Fig. 5. --

Substitute the paragraph on page 23, lines 8-11, with the following paragraph.

A2 -- At block 310, the user enters the demographic information identified by the company seeking capital CSC. Thereafter, the system automatically develops a detailed or general media plan utilizing the market data base 34 (Fig. 4). The market data base 34 identifies and demographically categorizes media in all significant markets. --

Substitute the paragraph on page 26, lines 6-10, with the following paragraph.

A3 -- At block 418, the user is queried as to whether the results are to be printed. If the results are to be printed, the routine 44 proceeds to block 420 and the results are printed for review by the user. Thereafter, the routine 44 proceeds to the main menu (entry point M), as shown in block 108. If the results are not to be printed, the routine 44 proceeds directly to the main menu (entry point M), as shown in block 108. --

II. REMARKS

Reconsideration of the above-identified application in view of the following remarks is respectfully requested. Claims 1-40 are presently pending in the application. No claims have been amended by this Reply.

The specification and figures provide support for all the amendments to the application. No new matter has been added. For the reasons discussed herein, Applicants respectfully submit that all the claims are in condition for allowance.

a) Miscellaneous Amendments

Figure 16 is amended to correct two illustration errors. More specifically, the path leading from decision block 400 to block 108 (entry point M) has been labeled “No” and the path leading from decision block 400 to block 402 has been labeled “Yes”. Support for the correction is provided on page 25, lines 7-12, of the specification, wherein it reads “[a]t block 400, the user is prompted as to whether an investment decision was made based on a valuation of a company seeking capital CSC. If an investment decision was not made, the routine proceeds to block 108 (entry point M) and returns to main menu routine 39. If an investment decision was made, the routine 44 proceeds to block 402, wherein the user retrieves a cash-credit blend evaluation template and proceeds to block 404.” In accordance with 37 C.F.R. § 1.121(a)(3), a copy of the drawing with the proposed corrections in red ink are submitted herewith under a separate letter to the Official Draftsperson for approval by the Examiner.

b) Response To The Rejection Of Claims 1-40 Under 35 U.S.C. § 103(a)

In the Office Action, Claims 1-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,351,738 (“Clark”) in view of U.S. Patent No. 6,167,385 (“Hartley-Urquhart”). (See Office Action ¶ 3.)

Clark discloses a collective business system including participants engaged in a common field of business endeavor, a plurality of suppliers of business support mechanisms of interest to the participants and a for-profit hub business entity (“HBE”) for managing transactions between the suppliers, the participants and their customers. Under the system, the independently owned and operated participants are assigned geographically protected business locations, as well as one or more of volume discounts of goods and services, national marketing capacity, discount capital financing for purchase of costly technology and machinery, access to information technology, logistics support or other business support mechanisms. The assets of the HBE are substantially liquid asset based and the HBE enables, controls and derives income from transactions between the suppliers and participants. The system enables the participants to compete effectively with

much larger corporate or similar entities or franchises in the same or similar industry or profession without sacrificing their independence.

Hartley-Urquhart discloses a method for financing a supply of goods (a supply chain) for a supplier to a buyer in which the buyer has a lower cost of funds than the supplier. According to the method, the buyer generates a purchase order for the goods which is forwarded to the supplier who in turn ships the goods to the buyer. The supplier sends an invoice to the buyer which stores the invoice data in a database. The financing institution electronically accesses the database to retrieve the daily invoices. The financial institution then calculates the financing applicable to the shipped good and forwards a payment to the supplier. Upon maturity of the financing, the buyer settles with the financial institution by remitting the gross proceeds.

1) Response To The Rejection of Independent Claims 1, 6, 18, and 30 Set Forth Under Paragraph 4

A) Response To The Rejection Of Independent Claim 1

Independent Claim 1 claims a method for supporting security-trade financing for a company seeking capital. "Security-trade financing" involves an agreement between a company seeking capital and a trading company wherein the company seeking capital provides security in return for trade credits and agrees to purchase products from the trading company's inventory at a predetermined cash/trade-credit blend. The method includes the steps of maintaining an inventory data base including data identifying products; determining a cash/trade-credit blend for the purpose of providing financing to the company, wherein the cash/trade-credit blend includes a cash portion and a trade-credit portion; receiving securities from the company in exchange for the trade-credit portion of the cash/trade-credit blend; and receiving at least a portion of the cash/trade-credit blend from the company in exchange for the proportional quantity of the products in inventory that are desired by the company.

Neither Clark nor Hartley-Urquhart disclose or suggest, either alone or in combination, in whole or in part, each and every limitation of independent Claim 1. A more detailed response to each aspect of the Examiner's rejection is provided immediately below.

In the Office Action it is asserted that Clark teaches “a method for supporting security-trade financing for a company seeking capital” at Fig. 4, items 416; col. 4, lines 5-14; and col. 6, lines 6-7. In Fig. 4, items 416 depict marketing, information technology, goods/services, capital financing, logistics, and consulting services, which are generically described in the specification as “business support mechanisms 416 of interest to the participants” (col. 8, lines 66-67). Neither Fig. 4, item 416, nor the specification disclose or suggest, in whole or in part, that the business support mechanisms provide “a method for supporting security-trade financing for a company seeking capital.”

At col. 4, lines 5-14, Clark discloses a system wherein a “hub business entity” (“HBE”), which is a substantially liquid-asset based, for-profit business entity, has a contractual arrangement to provide services to local independent business entities so they may effectively compete against much larger business entities. Neither at col. 4, lines 5-14, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, that the HBE offers “a method for supporting security-trade financing for a company seeking capital.”

At col. 6, lines 6-7, Clark discloses that one of the premium services and advantages offered by the HBE system (“HBES”) to its participants is “access to capital financing at lower interest rates than the participant can obtain on its own.” Neither at col. 6, lines 6-7, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, that the HBES offers “a method for supporting security-trade financing for a company seeking capital.”

It is clear that Clark is neither in the field of Applicants’ endeavor, nor is Clark reasonably pertinent to the particular problem that the inventors were concerned, i.e., it is nonanalogous art. M.P.E.P. § 2141.01(a). Accordingly, because Clark is non-analogous art (and, frankly, does not disclose or suggest any aspect of Applicants’ invention), Applicants respectfully request that the rejection of Claim 1 be withdrawn.

In the Office Action it is further asserted that Clark teaches the step of “maintaining an inventory data base including data identifying products” (the “maintaining” step) at col. 4, lines 21-32. At col. 4, lines 21-32, a HBES is described to provide several factors to serve the needs

of its participants including a for-profit HBE, a geographically-segmented group of participants in the HBE, and an array of independent goods, services or programs suppliers. Neither at col. 4, lines 21-32, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, the step of “maintaining an inventory data base including data identifying products.”

It is clear that Clark does not disclose or suggest, in whole or in part, the “maintaining” step in either the figures or the sections of the specification cited by the Examiner or in the remainder of the specification. Accordingly, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

In the Office Action it is further asserted that Clark teaches the step of “determining a cash/trade-credit blend for the purpose of providing financing to the company, wherein the case/trade-credit blend includes a cash portion and a trade-credit portion” (the “determining” step) at Fig. 4, item 414; col. 5, lines 6-14; col. 6, lines 3-5; col. 11, line 40 through col. 12, line 46; and col. 12, lines 50-56. In Fig. 4, item 414 depicts “participants” which are described in the specification as relatively small business entities in the same or similar field of endeavor (col. 8, line 61 through col. 9, line 8.) Neither Fig. 4, item 414, nor the specification disclose or suggest, in whole or in part, the step of “determining a cash/trade-credit blend for the purpose of providing financing to the company, wherein the case/trade-credit blend includes a cash portion and a trade-credit portion.”

At col. 5, lines 6-14, Clark discloses that the participants are free to procure products or services from within or without the HBES. Neither at col. 5, lines 6-14, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, the step of “determining a cash/trade-credit blend for the purpose of providing financing to the company, wherein the case/trade-credit blend includes a cash portion and a trade-credit portion.”

At col. 6, lines 3-5, Clark discloses that one of the premium services and advantages offered by the HBES to its participants is “strategic alliances with national organizations representing potential customers for the goods or services offered by the participant.” Neither at col. 6, lines 3-5, nor in the remainder of the specification does Clark disclose or suggest, in

whole or in part, the step of “determining a cash/trade-credit blend for the purpose of providing financing to the company, wherein the case/trade-credit blend includes a cash portion and a trade-credit portion.”

At col. 11, line 40, through col. 12, line 46, Clark discloses: that electronic commerce may be transacted between the suppliers and purchasers over an HBE e-commerce system (col. 11, lines 40-61, and Fig. 5); that suppliers may offer incentives and exchange information with participants over the HBE e-commerce system (col. 11, line 62, through col. 12, line 3); that HBE includes an Internet website to enhance the participants’ marketing and sales capability with customers (col. 12, lines 4-24, and Fig. 6); that electronic commerce may be transacted between the customers and participants over the HBE e-commerce system (col. 12, lines 25-33); and that the HBES may be useful for relatively small businesses in a common field of endeavor to acquire support mechanisms to effectively compete with larger nationally or internationally based competitors (col. 12, lines 34-46). Neither at col. 11, line 40, through col. 12, line 46, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, the step of “determining a cash/trade-credit blend for the purpose of providing financing to the company, wherein the case/trade-credit blend includes a cash portion and a trade-credit portion.”

At col. 12, lines 50-56, Clark discloses that participants may exchange useful business information and reciprocal service discounts. Neither at col. 12, lines 50-56, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, the step of “determining a cash/trade-credit blend for the purpose of providing financing to the company, wherein the case/trade-credit blend includes a cash portion and a trade-credit portion.”

It is clear that Clark does not disclose or suggest, in whole or in part, the “determining” step in either the figures or sections of the specification cited by the Examiner, or in the remainder of the specification. Accordingly, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

In the Office Action it is further asserted that Clark teaches the step of “receiving at least a portion of the cash/trade-credit blend from the company in exchange for a proportional quantity

of the products in inventory that are desired by the company” (the “receiving a cash/trade-credit blend” step) in Fig. 4, item 410; Fig. 5; col. 5, lines 21-50; and col. 8, line 57, through col. 10, line 54. In Fig. 4, item 410 identifies the entire schematic representation of the HBE system. Neither the schematic system depicted in Fig. 4 nor anywhere in the specification does Clark disclose or suggest, in whole or in part, the step of “receiving at least a portion of the cash/trade-credit blend from the company in exchange for a proportional quantity of the products in inventory that are desired by the company.” Fig. 5 is a schematic representation of the operation of an e-commerce system adapted for use in the HBE system. Neither the schematic system depicted in Fig. 5 nor anywhere in the specification does Clark disclose or suggest, in whole or in part, the step of “receiving at least a portion of the cash/trade-credit blend from the company in exchange for a proportional quantity of the products in inventory that are desired by the company.”

At col. 5, lines 21-50, Clark discloses that the HBE e-commerce system will link the HBE, selected suppliers, participants, and customers in an essentially paperless network of commerce where the HBE can negotiate reduced prices and receive commissions or rebates from the vendors, some or all of which may be shared at the discretion of the HBE with the participants. Neither at col. 5, lines 21-50, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, the step of “receiving at least a portion of the cash/trade-credit blend from the company in exchange for a proportional quantity of the products in inventory that are desired by the company.”

At col. 8, line 57, through col. 10, line 54, Clark discloses that the HBE essentially functions to monitor and control the income and business support mechanisms streams between the participants, customers and the suppliers of the business support mechanisms, wherein the business support mechanisms include national marketing services, information technology products and support services, discount goods and services for resale, discount capital financing, and logistics support capabilities and consulting services. Neither at col. 8, line 57, through col. 10, line 54, nor in the remainder of the specification does Clark disclose or suggest, in whole or

in part, the step of “receiving at least a portion of the cash/trade-credit blend from the company in exchange for a proportional quantity of the products in inventory that are desired by the company.”

It is clear that Clark does not disclose or suggest, in whole or in part, the “receiving a cash/trade-credit blend” step in either the figures or sections of the specification cited by the Examiner or in the remainder of the specification. Accordingly, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

In the Office Action it is further asserted that Hartley-Urquhart teaches the step of “receiving securities from the company in exchange for the trade-credit portion of the cash/trade-credit blend” (the “receiving securities” step) in col. 3, line 7, through col. 4, line 52. At col. 3, line 7, through col. 4, line 52, Hartley-Urquhart discloses an Accounts Payable Financing method (depicted in Fig. 2), wherein a financing system is established between a supplier, a financial institution, and a buyer in which the financial institution facilitates (preferably via electronic means) the purchase of products by the buyer from the supplier by: receiving a verified purchase voucher from the buyer for the purchase of a product; providing a payment notice to the buyer that a payment (minus any discount) is going to be made to the supplier for the purchase; making the payment to the supplier; and receiving a payment (including a financing cost) from the buyer for the purchase. Neither at col. 3, line 7, through col. 4, line 52, nor in the remainder of the specification does Hartley-Urquhart disclose or suggest, in whole or in part, the step of “receiving securities from the company in exchange for the trade-credit portion of the cash/trade-credit blend.”

It is clear that Hartley-Urquhart does not disclose or suggest, in whole or in part, the “receiving securities” step in either the section of the specification cited by the Examiner or in the remainder of the specification. Accordingly, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

B) Response To The Rejection Of Independent Claim 6

Independent Claim 6 claims a method for supporting security-trade financing for a company seeking capital. The method includes the steps of storing data identifying inventory allocations and inventory components desired by the company; calculating a total plan cost basis based on the inventory allocations and cost basis of the inventory components; calculating a cash-credit ratio based on the total plan cost basis and a desired plan cost basis; calculating one or more cash/trade-credit blends based on the desired plan cost basis, the cash-credit ratio, and one or more investment values; and outputting the one or more cash/trade-credit blends.

Neither Clark nor Hartley-Urquhart disclose or suggest, either alone or in combination, in whole or in part, each and every limitation of independent Claims 6.

In the Office Action it is asserted that as per claim 6 Clark, in view of Hartley-Urquhart, teaches a method for supporting security-trade financing for a company seeking capital including the steps of “maintaining an inventory data base including data identifying products;” “determining a cash/trade-credit blend for the purpose of providing financing to the company, wherein the case/trade-credit blend includes a cash portion and a trade-credit portion;” “receiving securities from the company in exchange for the trade-credit portion of the cash/trade-credit blend;” and “receiving at least a portion of the cash/trade-credit blend from the company in exchange for a proportional quantity of the products in inventory that are desired by the company” (i.e., the steps delineated in Claim 1.)

Claim 6 does not include any of the steps of Claim 1. Furthermore, none of the steps of Claim 6 are sufficiently similar to the steps of Claim 1 to allow Applicants to provide a proper response to the rejection of Claim 6. Accordingly, because the rejection cannot be legitimately responded to, Applicants respectfully request that the rejection of Claim 6 be withdrawn.

C) Response To The Rejection Of Independent Claim 18

Independent Claim 18 claims a data processing system for supporting security-trade financing for a company seeking capital. The system includes a computer processor means for

processing data; storage means for storing data on a storage device; first means for storing data identifying inventory allocations and inventory components desired by the company in the storage device; second means for calculating a total plan cost basis based on the inventory allocations and cost basis of the inventory components; third means for calculating a cash-credit ratio based on the total plan cost basis and a desired plan cost basis; fourth means for calculating one or more cash/trade-credit blends based on the desired plan cost basis, the cash-credit ratio, and one or more investment values; and fifth means for outputting the one or more cash/trade-credit blends.

Neither Clark nor Hartley-Urquhart disclose or suggest, either alone or in combination, in whole or in part, each and every limitation of independent Claims 18.

In the Office Action it is asserted that as per claim 18 Clark, in view of Hartley-Urquhart, teaches a method for supporting security-trade financing for a company seeking capital including the steps of “maintaining an inventory data base including data identifying products;” “determining a cash/trade-credit blend for the purpose of providing financing to the company, wherein the case/trade-credit blend includes a cash portion and a trade-credit portion;” “receiving securities from the company in exchange for the trade-credit portion of the cash/trade-credit blend;” and “receiving at least a portion of the cash/trade-credit blend from the company in exchange for a proportional quantity of the products in inventory that are desired by the company” (i.e., the steps delineated in Claim 1.)

Claim 18 does not include any of the steps of Claim 1. Furthermore, none of the steps of Claim 18 are sufficiently similar to the steps of Claim 1 to allow Applicants to provide a proper response to the rejection of Claim 18. Accordingly, because the rejection cannot be legitimately responded to, Applicants respectfully request that the rejection of Claim 18 be withdrawn.

D) Response To The Rejection Of Independent Claim 30

Independent Claim 30 claims a data processing system for supporting security-trade financing for a company seeking capital. The system includes a storage device for storing data

identifying inventory components and corresponding cost bases; a processor in communication with the storage device, wherein the processor is operative to: store data on the storage device identifying inventory allocations and certain inventory components desired by the company, a desired plan cost basis, and one or more investment values; calculate a total plan cost basis based on the inventory allocations and the cost bases of the certain inventory components; calculate a cash-credit ratio based on the total plan cost basis and the desired plan cost basis; calculate one or more cash/trade-credit blends based on the desired plan cost basis, the cash-credit ratio, and one or more investment values; and output the one or more cash/trade-credit blends.

Neither Clark nor Hartley-Urquhart disclose or suggest, either alone or in combination, in whole or in part, each and every limitation of independent Claims 30.

In the Office Action it is asserted that as per claim 30 Clark, in view of Hartley-Urquhart, teaches a method for supporting security-trade financing for a company seeking capital including the steps of “maintaining an inventory data base including data identifying products;” “determining a cash/trade-credit blend for the purpose of providing financing to the company, wherein the case/trade-credit blend includes a cash portion and a trade-credit portion;” “receiving securities from the company in exchange for the trade-credit portion of the cash/trade-credit blend;” and “receiving at least a portion of the cash/trade-credit blend from the company in exchange for a proportional quantity of the products in inventory that are desired by the company” (i.e., the steps delineated in Claim 1.)

Claim 30 does not include any of the steps of Claim 1. Furthermore, none of the steps of Claim 30 are sufficiently similar to the steps of Claim 1 to allow Applicants to provide a proper response to the rejection of Claim 30. Accordingly, because the rejection cannot be legitimately responded to, Applicants respectfully request that the rejection of Claim 30 be withdrawn.

2) Response To The Rejection of Claim 2 Set Forth Under Paragraph 5

In the Office Action at paragraph 5, Claim 2 is rejected under § 103 as being unpatentable over Clark in view of Hartley-Urquhart.

Claim 2, which is dependent on independent Claim 1, further claims the steps of receiving deficient assets from a deficient asset company; transmitting trade credits to the deficient asset company to pay, at least in part, for the deficient assets; and storing data identifying the deficient assets in the inventory data base.

Neither Clark nor Hartley-Urquhart disclose or suggest, either alone or in combination, in whole or in part, each and every limitation of dependent Claim 2.

In the Office Action it is stated that Clark does not specifically teach the step of “receiving deficient assets from a deficient asset company,” nor is it stated that the step is taught in Hartley-Urquhart. Because neither Clark nor Hartley-Urquhart disclose or suggest, in whole or in part, the step of “receiving deficient assets from a deficient asset company,” Applicants respectfully request that the rejection of Claim 2 be withdrawn.

Further, the Office Action asserts that Clark teaches the step of “transmitting trade credits to the deficient asset company” at Fig. 4, item 410. In Fig. 4, item 410 identifies the entire schematic representation of the HBE system. Neither the schematic system depicted in Fig. 4 nor anywhere in the specification does Clark disclose or suggest, in whole or in part, the step of “transmitting trade credits to the deficient asset company.” Accordingly, Applicants respectfully request that the rejection of Claim 2 be withdrawn.

Further, the Office Action asserts that Hartley-Urquhart teaches the steps of “paying for the deficient assets of a deficient [asset] company” and “storing data identifying the deficient assets in the inventory data base” and further that it would be obvious to combine these steps with those taught in Clark. However, nowhere in the Office Action is it indicated where in the specification of Hartley-Urquhart such teachings can be found. Upon review of the specification Applicants believe that Hartley-Urquhart does not teach the steps of “paying for the deficient assets of a deficient [asset] company” and “storing data identifying the deficient assets in the inventory data base.” Accordingly, Applicants respectfully request that the rejection of Claim 2 be withdrawn.

3) Response To The Rejection Of Dependent Claims 3, 10-12, and 33-34 Set Forth Under Paragraph 6

In the Office Action at paragraph 6, Claims 3, 10-12, and 33-34 are rejected under § 103 as being unpatentable over Clark in view of Hartley-Urquhart. More particularly, it is stated that Clark discloses that “products identified in the inventory data base are categorized” at col. 9, line 49; col. 10, lines 4-7; and Fig. 4, items 414 and 418.

At col. 9, line 49, Clark discloses that “business support mechanisms ... that may be made available to participants ... include national marketing services, information technology products and support services, discount goods and services for resale, discount capital financing, and logistics support capabilities and consulting services.” Neither at col. 9, line 49, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, that “products identified in the inventory data base are categorized.”

At col. 10, lines 4-7, Clark discloses that “customers ... of participants ... or HBE ... may access HBE ... for a fee to obtain information and technology services of interest while purchasing other desired goods and services from the participants.” Neither at col. 10, lines 4-7, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, that “products identified in the inventory data base are categorized.”

In Fig. 4, item 414 depicts “participants” which are described in the specification as relatively small business entities in the same or similar field of endeavor (col. 8, line 61 through col. 9, line 8.) Neither Fig. 4, item 414, nor the specification disclose or suggest, in whole or in part, that “products identified in the inventory data base are categorized.” In Fig. 4, item 418 depicts “customers” which are depicted as purchasers of participants’ goods and services. Neither Fig. 4, item 418, nor the specification disclose or suggest, in whole or in part, that “products identified in the inventory data base are categorized.”

It is clear that Clark does not disclose or suggest, in whole or in part, that “products identified in the inventory data base are categorized,” in either the figure and sections of the

specification cited by the Examiner or in the remainder of the specification. Accordingly, Applicants respectfully request that the rejections of Claims 3, 10-12, and 33-34 be withdrawn.

4) Response To The Rejection Of Dependent Claims 4, 9, 13-14, and 21-25 Set Forth Under Paragraph 7

In the Office Action at paragraph 7, Claims 4, 9, 13-14, and 21-25 are rejected under § 103 as being unpatentable over Clark in view of Hartley-Urquhart. Claims 4, 9, 13-14, and 21-25 are dependent on independent Claims 1, 6 and 18, respectively. As discussed above, Applicants consider independent Claims 1, 6 and 18 patentable over Clark in view of Hartley-Urquhart. Therefore, for the same reasons, Applicants also consider dependent Claims 4, 9, 13-14, and 21-25 patentable over Clark in view of Hartley-Urquhart. Accordingly, Applicants respectfully request that the rejections of Claims 4, 9, 13-14, and 21-25 be withdrawn.

5) Response To The Rejection Of Dependent Claims 5, 27-28, and 39-40 Set Forth Under Paragraph 8

In the Office Action at paragraph 8, Claims 5, 27-28, and 39-40 are rejected under § 103 as being unpatentable over Clark in view of Hartley-Urquhart. More particularly, it is stated that Clark discloses that a “cash/trade-credit blend is represented by a cash-credit ratio” at col. 10, lines 34-36. Further, it is asserted that although Clark fails to teach that the cash-credit ratio is between 1/99 and 99/1, that Hartley-Urquhart teaches the specific range of the cash-credit ratios.

At col. 10, lines 34-36, Clark discloses that some of the advantages that HBES provides participants include: “discount capital financing for purchase of expensive technology, machinery, vehicles and the like;” and “discounted goods and services for resale.” Neither at col. 10, lines 34-36, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, that a “cash/trade-credit blend is represented by a cash-credit ratio.” Further, although the Office Action asserts that Hartley-Urquhart teaches the specific range of the cash-credit ratios between 1/99 and 99/1, nowhere in the Office Action is it indicated where in the specification of Hartley-Urquhart such a teaching can be found. Upon review of the

specification Applicants believe that Hartley-Urquhart does not teach the specific range of the cash-credit ratios of between 1/99 and 99/1.

It is clear that neither Clark nor Clark in view of Hartley-Urquhart disclose or suggest, in whole or in part, that a “cash/trade-credit blend is represented by a cash-credit ratio” and that such a cash-credit ratio may be between 1/99 and 99/1. Accordingly, Applicants respectfully request that the rejection of Claims 5, 27-28, and 39-40 be withdrawn.

6) Response To The Rejection Of Dependent Claims 7, 16-17, 19-20, 26, 29, 31, and 37-38 Set Forth Under Paragraph 9

In the Office Action at paragraph 9, Claims 7, 16-17, 19-20, 26, 29, 31, and 37-38 are rejected under § 103 as being unpatentable over Clark in view of Hartley-Urquhart. More particularly, it is stated that Clark discloses that “the desired plan cost basis is based on valuations of the company” at col. 10, lines 43-45, and Fig. 4, items 416.

At col. 10, lines 43-45, Clark discloses that an advantage that HBES provides participants is “equity benefits and no inventory capital loss risk for stockholder participants.” Neither at col. 10, lines 43-45, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, that “the desired plan cost basis is based on valuations of the company.”

In Fig. 4, items 416 depict marketing, information technology, goods/services, capital financing, logistics, and consulting services, which are generically described in the specification as “business support mechanisms 416 of interest to the participants” (col. 8, lines 66-67). Neither Fig. 4, item 416, nor the specification disclose or suggest, in whole or in part, that “the desired plan cost basis is based on valuations of the company.”

It is clear that Clark does not disclose or suggest, in whole or in part, that “the desired plan cost basis is based on valuations of the company,” in either the figure and sections of the specification cited by the Examiner or in the remainder of the specification. Accordingly, Applicants respectfully request that the rejections of Claims 7, 16-17, 19-20, 26, 29, 31, and 37-38 be withdrawn.

7) Response To The Rejection Of Dependent Claims 8, 32, and 35-36 Set Forth Under Paragraph 10

In the Office Action at paragraph 10, Claims 8, 32, and 35-36 are rejected under § 103 as being unpatentable over Clark in view of Hartley-Urquhart. More particularly, it is stated that Clark discloses that “the valuations include an agreed-to valuation and a desired valuation” at col. 10, lines 43-45, and Fig. 4, items 416.

At col. 10, lines 43-45, Clark discloses that an advantage that HBES provides participants is “equity benefits and no inventory capital loss risk for stockholder participants.” Neither at col. 10, lines 43-45, nor in the remainder of the specification does Clark disclose or suggest, in whole or in part, that “the valuations include an agreed-to valuation and a desired valuation.”

In Fig. 4, items 416 depict marketing, information technology, goods/services, capital financing, logistics, and consulting services, which are generically described in the specification as “business support mechanisms 416 of interest to the participants” (col. 8, lines 66-67). Neither Fig. 4, item 416, nor the specification disclose or suggest, in whole or in part, that “the valuations include an agreed-to valuation and a desired valuation.”

It is clear that Clark does not disclose or suggest, in whole or in part, that “the valuations include an agreed-to valuation and a desired valuation,” in either the figure and section of the specification cited by the Examiner or in the remainder of the specification. Accordingly, Applicants respectfully request that the rejections of Claims 8, 32, and 35-36 be withdrawn.

8) Response To The Rejection Of Dependent Claim 15

In the Office Action at paragraph 3, Claim 15 is rejected under § 103 as being unpatentable over Clark in view of Hartley-Urquhart, however, nowhere in the remainder of the Office Action is a basis for the rejection provided. Accordingly, Applicants respectfully request that the rejection of Claim 15 be withdrawn.

III. VERSION WITH MARKINGS TO SHOW CHANGES MADE

a) Markings to show changes made to the paragraph on page 14, lines 7-11.

-- The media may be obtained, for example, through trading transactions as described herein above, and illustrated in Fig. 1. The media include, for example, stations Natch-1 and Natch-2 categorized in the National TV category, and stations Loch-1 and Loch-2 categorized in the Local TV category. Of course, an inventory data base may included more or less media categories and media than what is illustrated in Fig. 5. --

b) Markings to show changes made to the paragraph on page 23, lines 8-11.

-- At block 310, the user enters the demographic information identified by the company seeking capital CSC. Thereafter, the system automatically develops a detailed or general media plan utilizing the market data base 34 (Fig. 54). The market data base 34 identifies and demographically categorizes media in all significant markets. --

c) Markings to show changes made to the paragraph on page 26, lines 6-10.

-- At block 418, the user is queried as to whether the results are to be printed. If the results are to be printed, the routine 44 proceeds to block 420 and the results are printed for review by the user. Thereafter, the routine 44 proceeds to the main menu (entry point M), as shown in block 108. If the results are not to be printed, the routine 44 proceeds directly to the main menu (entry point ~~108~~M), as shown in block 108. --

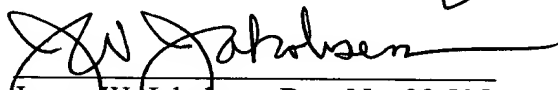
IV. CLOSING COMMENTS

Applicants' representative has reviewed the remaining documents made of record, but not relied upon in the rejections of the claims. It is respectfully submitted that none of these documents disclose or suggest, either alone or in combination, in whole or in part, the claimed invention.

The three-month shortened statutory period for a response to the April 17, 2002, Office Action expired on July 17, 2002. Since the present Reply is being sent to the Office within two months after the three-month shortened period, a two-month extension of time is required. The Commissioner is authorized to charge Deposit Account No. 03-3975 for any underpayments or credit the Deposit Account for any overpayments.

Applicants submit that claims 1-40 are in condition for allowance and respectfully requests for them to issue. Applicants' representative looks forward to a telephonic interview with the Examiner, previously scheduled for October 4, 2002 at 10:00 A.M., to discuss this Reply.

Respectfully submitted,
PILLSBURY WINTHROP LLP
Attorneys for Applicants



James W. Jakobsen, Reg. No. 38,505
Pillsbury Winthrop LLP
1600 Tysons Boulevard
McLean, VA 22102
Tel.: (203) 965-8271
Fax: (914) 407-1597